

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**JENNIFER THOMPSON and
CHRISTOPHER DOXEY, as
Natural Parents and Next
Friends of ACD, a minor**

PLAINTIFFS

v.

CAUSE NO. 1:22cv125-LG-RPM

**PASS CHRISTIAN PUBLIC
SCHOOL DISTRICT; JONES
COLLEGE; JEDEDIAH “JED”
MOONEY, individually;
BRENDAN CONNOLLY,
individually; KM, a minor;
CR, a minor; LL, a minor; TC,
a minor; MM, a minor; and
JOHN OR JANE DOES 1-10**

DEFENDANTS

**ORDER GRANTING MOTION TO STAY AND MOTION
TO CONTINUE FILED BY DEFENDANT KM**

Defendant KM, a minor, seeks a stay of proceedings in this matter under the Servicemembers Civil Relief Act, 50 U.S.C. § 3932. He also requests a continuance of the pretrial conference and trial of this matter. Plaintiffs do not oppose a stay. For the following reasons, the Court finds that the [318] Motion to Stay and the [333] Motion for Continuance should be granted.

The Servicemembers Civil Relief Act requires courts to stay a civil action for a period of not less than ninety days when a party who is in military service provides the following:

(A) A letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember's ability to appear and stating a date when the servicemember will be available to appear.

(B) A letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.

50 U.S.C. § 3932(b). Defendant KM has notified the Court that he joined the United States Army on July 31, 2024. He remains on active duty and is currently stationed at Fort Sill, Oklahoma. He has provided a letter from his Commanding Officer stating that his current military duty prevents his appearance at the December 18, 2024, pretrial conference in this matter. Letter [333-2]. KM is currently out-processing at Fort Sill, which is expected to be completed on December 20, 2024. Counsel for KM has represented that KM is scheduled to report to Fort Liberty, North Carolina, on January 4, 2025.

The Court finds that KM has satisfied the statutory requirements for a stay of proceedings due to his military service. As a result, the Court is required to stay this matter for a minimum of ninety days. *See* 50 U.S.C. § 3932(b)(1). The Court will therefore reschedule the pretrial conference in this matter for April 15-16, 2025. The trial is continued and reset for the Court's four-week trial calendar beginning on May 5, 2025. All other deadlines remain in effect.

IT IS THEREFORE ORDERED AND ADJUDGED that the [318] Motion to Stay filed by Defendant KM is **GRANTED**. Proceedings in this lawsuit are **STAYED** until March 18, 2025.

IT IS FURTHER ORDERED AND ADJUDGED that the [333] Motion for Continuance filed by Defendant KM is **GRANTED**. The pretrial conference will be

held on **April 15-16, 2025**, and the trial will be held during the Court's four-week trial calendar beginning **May 5, 2025**.

SO ORDERED AND ADJUDGED this the 17th day of December, 2024.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE